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PART - VI

Acts of Parliament and Ordinances promulgated by the President

GOVERNMENT OF GUJARAT

LEGISLATIVE AND PARLIAMENTARY AFFAIRS DEPARTMENT

Sachivalaya, Gandhinagar, 3rd March, 2022

No.RPB/Act-49/2021/E :- The following Act of Parliament is republished for general information :-

GOVERNMENT OF INDIA

MINISTRY OF LAW AND JUSTICE

Legislative Department

New Delhi, the 30th December, 2021, Pausa 9, 1943 (Saka)

The following Act of Parliament has received the assent of the President on the 29th December, 2021 is hereby published for general information: -

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th December, 2021/Pausa 9, 1943 (Saka)

The following Act of Parliament received the assent of the President on the 29th December, 2021 and is hereby published for general information:—

THE ELECTION LAWS (AMENDMENT) ACT, 2021

(No. 49 OF 2021)

[29th December, 2021.]

An Act further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Election Laws (Amendment) Act, 2021.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

AMENDMENTS TO THE REPRESENTATION OF THE PEOPLE ACT, 1950

Amendment of section 14. **2.** In the Representation of the People Act, 1950 (hereafter in this Chapter referred to as the 1950 Act), in section 14, in clause (b), for the words, figure and letters "the 1st day of January", the words, figures and letters "the 1st day of January, the 1st day of April, the 1st day of July and the 1st day of October" shall be substituted. 43 of 1950.

Amendment of section 20. **3.** In section 20 of the 1950 Act, in sub-section (6),—
 (i) for the word "wife", the word "spouse" shall be substituted;
 (ii) for the words "if she", the words "if such spouse" shall be substituted.

Amendment of section 23. **4.** In section 23 of the 1950 Act, after sub-section (3), the following sub-sections shall be inserted, namely:—

'(4) The electoral registration officer may for the purpose of establishing the identity of any person require that such person may furnish the Aadhaar number given by the Unique Identification Authority of India as per the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016:

18 of 2016.

Provided that the electoral registration officer may also require the Aadhaar number from persons already included in the electoral roll for the purposes of authentication of entries in electoral roll and to identify registration of name of the same person in the electoral roll of more than one constituency or more than once in the same constituency.

(5) Every person whose name is included in the electoral roll may intimate his Aadhaar number to such authority in such form and manner as may be prescribed, on or before a date to be notified by the Central Government in the Official Gazette.

(6) No application for inclusion of name in the electoral roll shall be denied and no entries in the electoral roll shall be deleted for inability of an individual to furnish or intimate Aadhaar number due to such sufficient cause as may be prescribed:

Provided that such individual may be allowed to furnish such other alternate documents as may be prescribed.

Explanation.—For the purposes of this section, the expression "Aadhaar number" shall have the same meaning as assigned to it in clause (a) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.'

18 of 2016.

Amendment of section 28. **5.** In section 28 of the 1950 Act, in sub-section (2), after clause (hhh), the following clauses shall be inserted, namely:—

"(hhha) the authority and the form and manner of intimation of Aadhaar number under sub-section (5) of section 23;

(hhhb) the sufficient cause and furnishing of alternate documents to be provided by the individual under sub-section (6) of section 23."

CHAPTER III

AMENDMENTS TO THE REPRESENTATION OF THE PEOPLE ACT, 1951

Amendment of section 60. **6.** In the Representation of the People Act, 1951 (hereafter in this Chapter referred to as the 1951 Act), in section 60, in clause (b), in sub-clause (ii), for the word "wife", occurring at both the places, the word "spouse" shall be substituted. 43 of 1951.

7. In section 160 of the 1951 Act, in sub-section (1),—

Amendment
of section
160.

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) any premises are needed or are likely to be needed for the purpose of being used as polling stations, for counting, for storage of ballot boxes, voting machines (including voter verifiable paper audit trail) and poll related material after a poll has been taken, accommodation for security forces and polling personnel; or";

(ii) in the proviso, for the words "Provided that", the following shall be substituted, namely:—

"Provided that such premises shall be requisitioned after the issuance of the notification by the Election Commission under section 30 for such election till the date notified under clause (e) thereof:

Provided further that".

Sd/-

DR. REETA VASISHTA,

Secretary to the Government of India.

By order and in the name of the Governor of Gujarat,

Sd/-

K. M. LALA,

Secretary to Government.

